

**IN THE UNITED STATES DISTRICT COURT  
FOR THE WESTERN DISTRICT OF TEXAS**

**SYMBOLGY INNOVATIONS, LLC,**

**Plaintiff,**

**v.**

**MICHAELS STORES, INC.,**

**Defendant.**

**CASE NO. 1:21-CV-00412-LY**

**JURY TRIAL DEMANDED**

**[PROPOSED] ORDER GRANTING MICHAELS STORE, INC.'S RULE  
12(b)(6) MOTION TO DISMISS FOR FAILURE TO STATE A CLAIM**

Having carefully considered Defendant Michaels Stores, Inc.'s Rule 12(b)(6) Motion to Dismiss for Failure to State a Claim, this Court GRANTS the motion. The Asserted Patents are invalid under 35 U.S.C. § 101 as directed to ineligible subject matter, and Plaintiff accordingly has failed to state a claim upon which relief can be granted.

**IT IS HEREBY ORDERED THAT** Plaintiff's Complaint is dismissed with prejudice pursuant to Fed. R. Civ. P. 12(b)(6).

**IT IS SO ORDERED.**

Dated: \_\_\_\_\_, 2021 \_\_\_\_\_

United States District Judge